

**STATE OF NEW MEXICO
BEFORE THE SECRETARY OF THE ENVIRONMENT**

IN THE MATTER OF THE APPLICATION
OF CHACO COMPRESSOR STATION
(HARVEST FOUR CORNERS) FOR AN AIR
QUALITY PERMIT, NO. P236R3 (TITLE V)

AQB 21-37

IN THE MATTER OF THE APPLICATION
OF CARRACAS CDP COMPRESSOR STATION
(HARVEST FOUR CORNERS) FOR AN AIR
QUALITY PERMIT, NO. P168R4 (TITLE V)

AQB 21-43

**WILDEARTH GUARDIANS’
COMMENTS ON HEARING OFFICER’S REPORT**

WildEarth Guardians (“Guardians”), in accordance with the New Mexico Environment Department’s Permit Procedures, 20.1.4.500.C.(2) NMAC, submits its comments on the Hearing Officer’s Report issued January 10, 2022.

WILDEARTH GUARDIANS’ COMMENTS

Comment:

Guardians respectfully requests the following correction to page 7 to reflect that the Hearing Officer denied Permit Applicant’s objection to Guardians’ witness, Jeremy Nichols:

“After hearing oral argument from all parties, the Hearing Officer ~~sustained~~ denied the objection, ~~and ruled that Mr. Nichols had no bases to support his written and testimonial technical and legal evidence. Instead, Guardians’ evidence was accepted as general comment (non-technical) and given the weight the Hearing Officer deemed it merited. Tr. 168:3-7. Mr. Nichols submitted his resume and testimony two weeks before the date of the hearing and no objection was made during this time. The Permit Applicant could have raised an issue with Mr. Nichols’ testimony as a motion in limine before the hearing – the Applicant did not.”~~

CONCLUSION

WildEarth Guardians requests that the Hearing Officer revise his Report in accordance with these comments.

Respectfully submitted this 25th day of January, 2022,

/s/ Matthew A. Nykiel

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CERTIFICATE OF SERVICE

I certify that a true and exact copy of **WILDEARTH GUARDIANS' COMMENTS ON HEARING OFFICER'S REPORT** was served on January 25, 2022 via email to the persons listed below:

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